

COMMONWEALTH OF KENTUCKY  
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
DIVISION OF WATER

APPLICATION FOR PERMIT TO CONSTRUCT ACROSS OR ALONG A STREAM  
AND / OR WATER QUALITY CERTIFICATION

Chapter 151 of the Kentucky Revised Statutes requires approval from the Division of Water prior to any construction or other activity in or along a stream that could in any way obstruct flood flows or adversely impact water quality. If the project involves work in a stream, such as bank stabilization, dredging or relocation, a 401 Water Quality Certification (WQC) from the Division of Water will be required. This completed form will be forwarded to the Water Quality Branch for WQC processing. The project may not start until all necessary approvals are received from the KDOW. For questions concerning the WQC process, contact the WQC section at 502/564-3410.

If the project will disturb more than 1 acre of soil, A Notice of Intent for Storm Water Discharges will also be required. Both forms must be returned to the Floodplain Management Section of the Division of Water.

1. OWNER: Benjamin Kinman, Kentucky Department of Fish & Wildlife Resources  
Give name of person(s), company, governmental unit, or other owner of proposed project.  
  
MAILING ADDRESS: 1 Sportsman's Lane  
Frankfort, KY 40601  
  
TELEPHONE #: 502-564-7109 ext. 4422 EMAIL: benjy.kinman@ky.gov
2. AGENT: Dr. Arthur C. Parola, Jr., Director, University of Louisville Stream Institute  
Give name of person(s) submitting application, if other than owner.  
  
ADDRESS: Dept. of Civil and Environmental Engineering, University of Louisville  
Louisville, KY 40292  
  
TELEPHONE #: 502-852-4599 EMAIL: a.parola@insightbb.com
3. ENGINEER: David K. Thaemert P.E. NUMBER: 24918  
Contact Division of Water if waiver can be granted.  
TELEPHONE #: 502-852-3215 EMAIL: d.thaemert@louisville.edu
4. DESCRIPTION OF CONSTRUCTION: \_\_\_\_\_  
List the items to be constructed in the floodplain  
To restore 2713 feet of South Fork Curry's Fork within the project boundaries by constructing a new channel and floodplain, constructing wetlands within the constructed floodplain, and revegetating the floodplain and channel banks with hydrophytic vegetation. To restore 1641 feet of seven un-named tributaries of South Fork Curry's Fork by constructing new channels on the floodplain of South Fork Curry's Fork and installing hydrophytic vegetation on the channel banks.
5. COUNTY: Oldham NEAREST COMMUNITY: Crestwood
6. USGS QUAD NAME Crestwood & Ballardsville LATITUDE/LONGITUDE: 38°22'05" N, 85°22'30" E
7. STREAM NAME: South Fork Curry's Fork WATERSHED SIZE (in acres): 1,830
8. LINEAR FEET OF STREAM IMPACTED: 4,354
9. DIRECTIONS TO SITE: From Louisville, travel north on Interstate 71 to the La Grange exit (Exit 22, Hwy 53). From there, turn right onto Hwy 53. Travel 2.1 miles and turn right onto East Moody Lane / Rte 2856. Travel 1.0 miles, and then turn left onto a gravel driveway across from Cal Avenue.

10. IS ANY PORTION OF THE REQUESTED PROJECT NOW COMPLETE? ☐ Yes ☒ No If yes, identify the completed portion on the drawings you submit and indicate the date activity was completed. DATE: \_\_\_\_\_
11. ESTIMATED BEGIN CONSTRUCTION DATE: June 2009
12. ESTIMATED END CONSTRUCTION DATE: January 2011
13. HAS A PERMIT BEEN RECEIVED FROM THE US ARMY, CORPS of ENGINEERS? ☐ Yes ☒ No If yes, attach a copy of that permit.
14. THE APPLICANT *MUST* ADDRESS PUBLIC NOTICE:

(a) PUBLIC NOTICE HAS BEEN GIVEN FOR THIS PROPOSAL BY THE FOLLOWING MEANS:

- \_\_\_\_\_ Public notice in newspaper having greatest circulation in area (provide newspaper clipping or affidavit)
- \_\_\_\_\_ Adjacent property owner(s) affidavits (Contact Division of Water for requirements.)

(b) \_\_\_\_\_ I REQUEST WAIVER OF PUBLIC NOTICE BECAUSE:

\_\_\_\_\_ Contact Division of Water for requirements.

15. I HAVE CONTACTED THE FOLLOWING CITY OR COUNTY OFFICIALS CONCERNING THIS PROJECT:

\_\_\_\_\_ Beth Stuber, Oldham Co. Engineer; Jim Ewalt, Oldham County Board of Education \_\_\_\_\_  
Give name and title of person(s) contacted and provide copy of any approval city or county may have issued.

16. LIST OF ATTACHMENTS: \_\_\_\_\_

\_\_\_\_\_ List plans, profiles, or other drawings and data submitted. Attach a copy of a 7.5 minute USGS topographic map clearly showing the project location.

- \_\_\_1) 100-year flood study report and flooded area maps \_\_\_\_\_
- \_\_\_2) Mitigation plan submitted to U.S. Army Corps of Engineers \_\_\_\_\_
- \_\_\_3) Easement agreement between Oldham County Board of Education and the KY Department of Fish and Wildlife Resources \_\_\_\_\_

17. I, \_\_\_\_\_ (owners Initials) CERTIFY THAT THE OWNER OWNS OR HAS EASEMENT RIGHTS ON ALL PROPERTY ON WHICH THIS PROJECT WILL BE LOCATED OR ON WHICH RELATED CONSTRUCTION WILL OCCUR (for dams, this includes the area that would be impounded during the design flood).

18. REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby request approval for construction across or along a stream as described in this application and any accompanying documents. To the best of my knowledge, all the information provided is true and correct.

SIGNATURE: \_\_\_\_\_

Owner or Agent sign here. (If signed by Agent, a Power of Attorney should be attached.)

DATE: 3/12/09

SIGNATURE OF LOCAL FLOODPLAIN COORDINATOR: \_\_\_\_\_

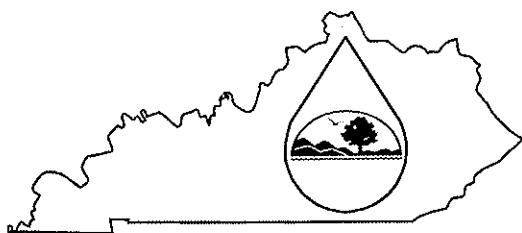
Permit application will be returned to applicant if not properly endorsed by the local floodplain coordinator.

DATE: \_\_\_\_\_

SUBMIT APPLICATION AND ATTACHMENTS TO:

Floodplain Management Section  
Division of Water  
14 Reilly Road  
Frankfort, KY 40601

# KPDES FORM NOI-SW



Kentucky Pollutant Discharge Elimination System  
(KPDES)

**Notice of Intent (NOI)  
for Storm Water Discharges  
Associated with Industrial Activity Under the  
KPDES General Permit**

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form intends to be authorized by a KPDES permit issued for storm water discharges associated with industrial activity. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit.

**ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM (See Instructions on back)**

## I. Facility Operator Information

<b>Name:</b>	Benjamin Kinman	<b>Phone:</b>	(502) 564-7109
<b>Address:</b>	KY Dept. of Fish and Wildlife Resources 1 Sportsman's Lane	<b>Status of Owner/Operator:</b>	
<b>City, State, Zip Code:</b>	Frankfort, KY 40601		

## II. Facility/Site Location Information

<b>Name:</b>	Oldham County Board of Education		
<b>Address:</b>	1400 block of West Moody Lane (entrance at Cal Avenue)		
<b>City, State, Zip Code:</b>	Crestwood, KY 40014		
<b>County:</b>	Oldham		
<b>Site Latitude: (degrees/minutes/seconds)</b>	38°22'05" N	<b>Site Longitude: (degrees/minutes/seconds)</b>	85°22'30" W

## III. Site Activity Information

<b>MS4 Operator Name:</b>							
<b>Receiving Water Body:</b>	South Fork Curry's Fork						
<b>Are there existing quantitative data?</b>	Yes <input type="checkbox"/> If Yes, submit with this form. No <input checked="" type="checkbox"/>						
<b>SIC or Designated Activity Code Primary</b>		2nd		3rd		4 <sup>th</sup>	

If this facility is a member of a Group Application, enter Group Application Number:

If you have other existing KPDES Permits, enter Permit Numbers:

## IV. Additional Information Required FOR CONSTRUCTION ACTIVITIES ONLY

<b>Project Start Date:</b>	June 2009	<b>Completion Date:</b>	January 2011
<b>Estimated Area to be disturbed (in acres):</b>	14.6		
<b>Is the Storm Water Pollution Prevention Plan in Compliance with State and/or Local Sediment and Erosion Plans?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>		

**V. Certification:** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

<b>Printed or Typed Name:</b>	BENJAMIN KINMAN		
<b>Signature:</b>	<i>Benjamin Kinman</i>	<b>Date:</b>	3/12/09
		<i>Dep Commissioner</i>	

**Kentucky Pollutant Discharge Elimination System (KPDES)  
Instructions  
Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial Activity  
To Be Covered Under The KPDES General Permit**

**WHO MUST FILE A NOTICE OF INTENT (NOI) FORM**

Federal law at 40 CFR Part 122 prohibits point source discharges of stormwater associated with industrial activity to a water body of the Commonwealth of Kentucky without a Kentucky Pollutant Discharge Elimination System (KPDES) permit. The operator of an industrial activity that has such a storm water discharge must submit a NOI to obtain coverage under the KPDES Storm Water General Permit. If you have questions about whether you need a permit under the KPDES Storm Water program, or if you need information as to whether a particular program is administered by the state agency, call the **Storm Water Contact, Industrial Section, Kentucky Division of Water at (502) 564-3410.**

**WHERE TO FILE NOI FORM**

NOIs must be sent to the following address:

**Section Supervisor  
Inventory & Data Management Section  
KPDES Branch, Division of Water  
Frankfort Office Park  
14 Reilly Road  
Frankfort, KY 40601**

**COMPLETING THE FORM**

Type or print legibly in the appropriate areas only. If you have any questions regarding the completion of this form call the **Storm Water Contact, Industrial Section, at (502) 564-3410.**

**SECTION I - FACILITY OPERATOR INFORMATION**

Give the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this application. The name of the operator may or may not be the same as the name of the facility. The responsible party is the legal entity that controls the facility's operation, rather than the plant or site manager. Do not use a colloquial name. Enter the complete address and telephone number of the operator.

Enter the appropriate letter to indicate the legal status of the operator of the facility.

F = Federal                      M = Public (other than federal or state)  
S = State                        P = Private

**SECTION II - FACILITY/SITE LOCATION INFORMATION**

Enter the facility's or site's official or legal name and complete street address, including city, state, and ZIP code.

**SECTION III - SITE ACTIVITY INFORMATION**

If the storm water discharges to a municipal separate storm sewer system (MS4), enter the name of the operator of the MS4 (e.g., municipality name, county name) and the receiving water of the discharge from the MS4. (A MS4 is defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by a state, city, town, borough, county, parish, district, association, or other public body which is designed or used for collecting or conveying storm water.)

If the facility discharges storm water directly to receiving water(s), enter the name of the receiving water.

Indicate whether or not the owner or operator of the facility has existing quantitative data that represent the characteristics and concentration of pollutants in storm water discharges. If data is available submit with this form.

List, in descending order of significance, up to four 4-digit standard industrial classification (SIC) codes that best describe the principal products or services provided at the facility or site identified in Section II of this application.

If the facility listed in Section II has participated in Part 1 of an approved storm water group application and a group number has been assigned, enter the group application number in the space provided.

If there are other KPDES permits presently issued for the facility or site listed in Section II, list the permit numbers.

**SECTION IV - ADDITIONAL INFORMATION REQUIRED FOR CONSTRUCTION ACTIVITIES ONLY**

Construction activities must complete Section IV in addition of Sections I through III. Only construction activities need to complete Section IV.

Enter the project start date and the estimated completion date for the entire development plan.

Provide an estimate of the total number of acres of the site on which soil will be disturbed (round to the nearest acre).

Indicate whether the storm water pollution prevention plan for the site is in compliance with approved state and/or local sediment and erosion plans, permits, or storm water management plans.

**SECTION V - CERTIFICATION**

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

*For a corporation:* by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

*For a partnership or sole proprietorship:* by a general partner or the proprietor; or *For a municipality, state, Federal, or other public facility:* by either a principal executive officer or ranking elected official.